United Nations S/2016/1039

Security Council

Distr.: General
13 December 2016
English
Original: French

Letter dated 6 December 2016 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to transmit herewith a copy of the official communiqué issued by the Presidency of the Democratic Republic of the Congo concerning the good offices mission given to the Conférence épiscopale nationale du Congo (CENCO) to reach out to the political and social forces of the opposition that did not sign the Political Agreement of 18 October 2016, with a view to obtaining a broader consensus on the Political Agreement for the organization of peaceful, credible and transparent elections in the Democratic Republic of the Congo (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Ignace **Gata Mavita**
Ambassador
Permanent Representative

16-22045 (E) 141216 151216

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Annex to the letter dated 6 December 2016 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

Official communiqué from the Presidency of the Republic

This Monday, 5 December 2016, the President of the Republic, Head of State, His Excellency Mr. Joseph Kabila Kabange, received in audience the delegation of the Conférence épiscopale nationale du Congo (CENCO), led by its Chair, Archbishop Monsignor Marcel Utembi Tapa, but also including its Vice-Chair, Archbishop Monsignor Fridolin Ambongo. The audience took place after the President of the Republic was made aware, through the media, of a CENCO communiqué indicating some of the difficulties encountered and the various reactions to that communication.

During the audience, the delegation informed the President of the Republic about the mission that had been given to CENCO on 29 October 2016.

The CENCO delegation presented to the Head of State a progress report on the good offices mission mentioned above, namely to reach out to the other actors of the opposition that did not participate in the dialogue, in order to ensure a broader consensus on the Political Agreement for the organization of peaceful, credible and transparent elections in the Democratic Republic of the Congo, signed on 18 October 2016 at the Cité de l'Union Africaine. As a reminder, article 24 of the agreement states as follows:

> "The present Agreement is open for signature to other political parties and political groups as well as other civil society organizations that undertake to comply with all its provisions".

The delegation concluded its report by wishing that the work that had been initiated could continue as soon as possible.

Reacting to the report, upon receiving the comments of the Secretary General of the Presidential Majority, the Head of State:

(a) Encouraged CENCO to carry on with its mission, after assuring it of his full support;

(b) Drew the attention of CENCO to the need for the formal authentication of the working documents provided by the different political and social groupings, whether they signed the Political Agreement or not;

(c) Reiterated his commitment to respect the Constitution and the Political Agreement of 18 October 2016 as a road map for the settlement of differences on the organization of the electoral process in the Democratic Republic of the Congo, the observations of all parties being subject to discussions between the political and social actors mentioned above, with a view to enhancing the aforementioned Agreement, as necessary;

(d) Requested the different groups and organizations that are urging their members to engage in violent acts to issue a call for calm.

Done at Kinshasa, on 5 December 2016

(*Signed*) Néhémie **Mwilanya Wlondja**
Chief of Staff

United Nations S/2016/1041

Security Council

Distr.: General
8 December 2016

Original: English

Letter dated 8 December 2016 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 6 December 2016 (S/2016/1040) concerning your intention to appoint Major General Wang Xiaojun (China) as Force Commander of the United Nations Mission for the Referendum in Western Sahara (MINURSO) has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter.

(*Signed*) Román **Oyarzun Marchesi**
President of the Security Council

16-21745 (E) 091216

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United Nations A/71/672–S/2016/1042

General Assembly
Security Council

Distr.: General
9 December 2016

Original: English

General Assembly
Seventy-first session
Agenda item 61
Peacebuilding and sustaining peace

Security Council
Seventy-first year

Letter dated 8 December 2016 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General

With regard to my letter dated 5 December 2016 (see annex), in which I request your kind clarification on the questions about the legal basis of the Security Council's "sanctions resolutions" raised in my previous letter, I would hereby like to draw your kind attention once again to this issue and await the answers to be given at your earliest convenience.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 61, and of the Security Council.

(*Signed*) **Ja** Song Nam
Ambassador
Permanent Representative

16-21845 (E) 151216

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Annex to the letter dated 8 December 2016 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General

Letter dated 5 December 2016 from the Ambassador and Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General

On 30 November 2016, the Security Council adopted its "resolution" 2321 (2016), misleadingly denouncing the self-defensive detonation test of a nuclear warhead of the Democratic People's Republic of Korea (DPRK) as a "threat to international peace and security".

The adoption of "resolution" 2321 (2016) is merely another act of abuse of power and flagrant infringement of the sovereignty, entirely denying the exercise of the right to self-defence, which is the absolute legitimate right, of the DPRK, and therefore the DPRK rejects it categorically.

As already clarified, the detonation test of the nuclear warhead conducted last September by the DPRK is part of the practical countermeasures taken in the face of the nuclear blackmail of the United States and the hostile forces against the DPRK, while demonstrating the firmest will of our service personnel and people to counter-attack any type of adversary in case of any provocation.

The Security Council does not have any authority to question the nuclear test and ballistic rocket launches of the DPRK, which were conducted to tackle the nuclear blackmail and the rackets of sanctions of the United States, nor is there any single article in the Charter of the United Nations or international law which stipulates that nuclear tests and ballistic rocket launches constitute a threat to international peace and security.

Nevertheless, the Security Council, overpowered by the high-handedness, arbitrariness and coercive assertions of the United States, determined that the self-defensive nuclear test and ballistic rocket launches of the DPRK were a "threat to international peace and security".

Therefore, it can be concluded that the Security Council has gone beyond its powers, lost impartiality, which is vital for international organizations, and committed an act of double standards by behaving trickily through the application of Chapter 7, Article 39, of the Charter, which stipulates that the Security Council shall determine the existence of any threat to international peace and security before taking any action on sanctions.

If the nuclear test and ballistic rocket launches of the DPRK were considered to be a "threat to international peace and security", then why have the nuclear tests and ballistic missile launches conducted thousands of times by the nuclear Powers, including the United States, not been questioned as "threats to international peace and security"?

In my previous letter to you dated 23 May 2016 (A/70/897-S/2016/465), I clearly pointed out that there were too many serious legal contradictions to be

overlooked in the Security Council's "sanctions resolutions" against the DPRK and kindly requested you to clarify the question.

The fact that the United Nations Secretariat is not giving any response to the letter, although over six months have passed since then, is a clear indication that the Security Council "sanctions resolutions" against the DPRK are only illegal and illegitimate fabrications, based strictly on the interests and behind-the-scenes manoeuvring of the United States.

Regarding the question raised by the DPRK in my previous letter, I kindly urge the United Nations Secretariat to give an answer which is responsible and impartial, in such a manner that can convince the international community and in conformity with the mission of the United Nations for international peace and security.

(*Signed*) **Ja** Song Nam
Ambassador
Permanent Representative

United Nations A/71/675–S/2016/1043

General Assembly
Security Council

Distr.: General
12 December 2016

Original: English

General Assembly
Seventy-first session
Agenda items 41 and 73 (a)

Security Council
Seventy-first year

Question of Cyprus

Oceans and the law of the sea

Letter dated 8 December 2016 from the Permanent Representative of Greece to the United Nations addressed to the Secretary-General

With reference to the letter dated 15 June 2016 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General of the United Nations (A/70/945-S/2016/541), I have the honour to state the following:

Turkey once again, through a series of unsubstantiated arguments, denies Greece's sovereign rights in the maritime area of the Eastern Mediterranean and its right to proceed to maritime delimitation with States with which it shares common maritime boundaries. Indeed, both the misleading and erroneous use of the principle of equity as a rule governing maritime delimitation, as well as the incidental and partial reading of the jurisprudence of the international courts and tribunals on maritime delimitation, aim at advancing these contentions as contained in the letter of 15 June 2016.

More specifically, Turkey reiterates in the above-mentioned letter its well-known arguments that the Greek islands in the said maritime area are not entitled to maritime zones (continental shelf and/or exclusive economic zones). This position totally ignores the rules of the international law of the sea regarding the rights of the islands to generate maritime zones as well as the process of maritime delimitation as this process has been applied by the international courts and tribunals. Greece wishes to reiterate its position on these issues, as set out on numerous occasions (see notes verbales No. 156.3/1675/12.7.2012 and No. 389/20.2.2013; *Law of the Sea Bulletin*, vol. 81, p. 23; and, recently, letter from the Permanent Representative of Greece, A/70/900-S/2016/474, dated 23 May 2016).

In this respect, concepts such as "land dominates the sea" and "cut-off effect" are used in the above-mentioned Turkish letter and in the abstract and outside the context of a delimitation process, aiming simply at refashioning geography.

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Likewise, there is no rule of international law according to which delimitation in semi-enclosed seas "should ... be effected by agreement of all the related parties on the basis of the principle of equity so as not to prejudice the sovereign rights and jurisdiction of other interested States/entities". International law provides in detail the areas of cooperation of States in the case of enclosed and semi-enclosed seas, among which delimitation of maritime areas is not included.

In the light of the above, Greece wishes to reiterate that the Turkish contentions concerning the delimitation of the continental shelf in the Eastern Mediterranean are totally unfounded, as they disregard the sovereign rights of other States, including Greece, in the maritime area of the Eastern Mediterranean west of the meridian 32° 16' 18" E. Such contentions also constitute an interference with the right of Greece to effect delimitation of its maritime areas by agreement with third States on the basis of international law, as already stated in the letter of the Permanent Representative of Greece dated 23 May 2016.

Therefore, Greece refutes, in their entirety, the Turkish allegations contained in the above-mentioned letter from the Permanent Mission of Turkey.

I would be grateful if you could have the present letter circulated as a document of the General Assembly, under agenda items 41 and 73 (a), and of the Security Council, and published in the next *Law of the Sea Bulletin*.

(*Signed*) Catherine **Boura**
Ambassador
Permanent Representative

United Nations S/2016/1044

Security Council

Distr.: General
10 December 2016

Original: English

Letter dated 7 December 2016 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the United Nations Mission in South Sudan (UNMISS), established by the Security Council in its resolution 1996 (2011), and most recently extended by the Council in its resolution 2304 (2016).

Following the usual consultations, I would like to inform you of my intention to appoint Mr. David Shearer (New Zealand) as my Special Representative for South Sudan and Head of UNMISS. He will succeed Ms. Ellen Margrethe Løj (Denmark), who completed her assignment on 30 November 2016. I would like to take this opportunity to express my gratitude to Ms. Løj for her dedication and effective leadership.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

16-21881 (E) 121216

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United Nations S/2016/1045

Security Council

Distr.: General
9 December 2016

Original: English

Letter dated 9 December 2016 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 7 December 2016 (S/2016/1044) concerning your intention to appoint Mr. David Shearer (New Zealand) as your Special Representative for South Sudan and Head of the United Nations Mission in South Sudan (UNMISS) has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter. Furthermore, the members of the Security Council recalled Article 101(3) of the Charter of the United Nations.

(*Signed*) Román **Oyarzun Marchesi**
President of the Security Council

16-21886 (E) 121216

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United Nations S/2016/1046

Security Council

Distr.: General
13 December 2016
English
Original: Russian

Letter dated 9 December 2016 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith information bulletins from the Russian Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic for the period 6-8 December 2016 (see annex).

I should be grateful if the text of this letter and its annex could be circulated as a document of the Security Council.

(*Signed*) V. **Churkin**

16-22042 (E) 141216 151216

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Annex to the letter dated 9 December 2016 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

Information bulletin of the Russian Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic (6 December 2016)

Reconciliation of opposing sides

Over the past 24 hours, six ceasefire regime agreements have been signed with populated areas in Ladhiqiyah governorate (2), Damascus governorate (2) and Homs governorate (2).

The number of populated areas that have joined the reconciliation process has increased to 1,032.

Negotiations on joining the ceasefire regime continued with field commanders of armed groups in Mu'addamiyat al-Shaykh in Damascus governorate and armed opposition units in Homs, Hama, Aleppo and Qunaytirah governorates.

The number of armed groups that have announced their commitment to accepting and fulfilling the terms of the ceasefire is unchanged — it is still 88.

Observance of the ceasefire regime

Over the past 24 hours, there were 36 reports of shelling by armed groups in Aleppo governorate (19), Damascus governorate (16) and Qunaytirah governorate (1).

In Damascus governorate, armed elements affiliated with the Army of Islam opposition group used mortars and small arms to fire on Jawbar (twice), Qabun and Qassa'.

In Aleppo governorate, armed elements of Ahrar al-Sham used mortars to shell the Salihin neighbourhood in Aleppo city. Armed elements of the Free Syrian Army shelled the Ayn Safy Dawlah neighbourhood in Aleppo city.

In Aleppo governorate, the terrorist groups Jabhat Fath al-Sham (Nusrah Front) and Islamic State in Iraq and the Levant (ISIL) used multiple-launch rocket systems, mortars, handheld anti-tank grenade launchers and small arms to fire on Ansari and also on the Binyamin (twice), Layramun, Aqil (twice), Karm al-Nahhas, Turbat Lala, Tariq al-Bab, Dahiyat al-Assad, Karm al-Qatirji and Ashrafiyah neighbourhoods, the Assad Military Academy, areas near the paperboard factory and gasworks, the electric power plant in Shaykh Sa'd and the Castello trade centre in Aleppo city.

In Damascus governorate, terrorists shelled Hawsh Kharabu, Irbin (twice), Hawsh Nasri, Jawbar (three times), Bala al-Qadimah (twice), Mazra'at Mahmud, the Wafidin camp and the highway near Harasta.

In Qunaytirah governorate, terrorists shelled Hadar.

The Russian and Syrian air forces did not carry out any strikes against opposition armed groups which had announced that they would cease hostilities and had informed the Russian or American reconciliation centres of their location.

Provision of humanitarian aid to the population of the Syrian Arab Republic

Over the past 24 hours three humanitarian operations were carried out, during which the following humanitarian cargoes were delivered to civilians:

- Approximately 3 tons to the Hananu-3 district in Aleppo city
- Approximately 2 tons to the Shaykh Maqsud district in Aleppo city
- Approximately 1 ton to the State district hospital in Masyaf, Hama governorate

Centres providing hot meals and supplying urgent necessities are continuing to operate for civilians who leave districts of Aleppo city that are under the control of illegal armed groups.

Additional information

Over the past 24 hours, 302 citizens have left besieged areas of the eastern part of Aleppo city with the assistance of the Russian Centre for Reconciliation of Opposing Sides. Also over the past 24 hours, more than 1,100 civilians have returned to their apartments in eastern neighbourhoods of Aleppo liberated from fighters.

In accordance with the decision announced by the President of Syria, 10 fighters who laid down their weapons have been granted amnesty.

Information bulletin of the Russian Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic (7 December 2016)

Reconciliation of opposing sides

Over the past 24 hours, one ceasefire regime agreement has been signed with a populated area in Ladhiqiyah governorate.

The number of populated areas that have joined the reconciliation process has increased to 1,033.

Negotiations on joining the ceasefire regime continued with field commanders of armed groups in Damascus governorate and armed opposition units in Homs, Hama, Aleppo and Qunaytirah governorates.

Over the past 24 hours, six ceasefire application forms have been signed with the leaders of armed groups. The number of armed groups that have announced their commitment to accepting and fulfilling the terms of the ceasefire has increased to 94.

Observance of the ceasefire regime

Over the past 24 hours, there were 43 reports of shelling by armed groups in Aleppo governorate (21), Damascus governorate (20), Ladhiqiyah governorate (1) and Hama governorate (1).

In Damascus governorate, armed elements affiliated with the Army of Islam opposition group used mortars and small arms to fire on Jawbar, Madaya, Qabun, Hawsh Kharabu and Qassa'.

In Ladhiqiyah governorate, armed elements of Ahrar al-Sham used mortars to shell Ikku.

Armed elements of the Syrian Free Army shelled the Fayd neighbourhood in Aleppo city.

In Aleppo governorate, the terrorist groups Jabhat Fath al-Sham (Nusrah Front) and Islamic State in Iraq and the Levant (ISIL) used multiple-launch rocket systems, tube artillery, mortars, handheld anti-tank grenade launchers and small arms to fire on the Aqil, Shi'ar, Amri, Aryan, Ashrafiyah, Binyamin, Dahiyat al-Assad, Jam'iyat al-Zahra', Karm al-Qatirji, Karm al-Nahhas, Turbat Lala, Tariq al-Bab, Hilwaniyah and Shaykh Sa'd neighbourhoods, the Castello trade centre, the Assad Military Academy, the area near the watermelon market and the electrical substation in the Shaykh Sa'd district in Aleppo city.

In Damascus governorate, terrorists shelled Irbin, Bala al-Qadimah, Hawsh Nasri and Hawsh Kharabu, the Wafidin camp and the Ibn al-Walid Hospital in Duma, a sports ground in Jawbar and a transport junction in Qabun.

In Hama governorate, terrorists shelled Suran.

The Russian and Syrian air forces did not carry out any strikes against opposition armed groups which had announced that they would cease hostilities and had informed the Russian or American reconciliation centres of their location.

Provision of humanitarian aid to the population of the Syrian Arab Republic

Over the past 24 hours four humanitarian operations were carried out, during which the following humanitarian cargoes were delivered to civilians:

- Approximately 1 ton to Rus and Falasqu in Ladhiqiyah governorate
- Approximately 1 ton to Qarayin in Suwayda' governorate
- Approximately 2.5 tons to the Shaykh Maqsud district in Aleppo city
- Approximately 1 ton to the Nayrab district in Aleppo city

Centres providing hot meals and supplying urgent necessities are continuing to operate for civilians who leave districts of Aleppo city that are under the control of illegal armed groups.

Information bulletin of the Russian Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic (8 December 2016)

Reconciliation of opposing sides

Over the past 24 hours, four ceasefire regime agreements have been signed with populated areas in Ladhiqiyah and Damascus governorates.

The number of populated areas that have joined the reconciliation process has increased to 1,037.

Negotiations on joining the ceasefire regime continued with field commanders of armed groups in Mu'addamiyat al-Shaykh in Damascus governorate and armed opposition units in Homs, Hama, Aleppo and Qunaytirah governorates.

The number of armed groups that have announced their commitment to accepting and fulfilling the terms of the ceasefire is unchanged — it is still 94.

Observance of the ceasefire regime

Over the past 24 hours, there were 36 reports of shelling by illegal armed groups in Aleppo governorate (17), Damascus governorate (15), Ladhiqiyah governorate (2) and Hama governorate (2).

In Damascus governorate, armed elements affiliated with the Army of Islam opposition group used mortars and small arms to fire on Jawbar (twice), Qabun, Qassa', Hawsh Kharabu and Bala al-Jadidah.

Armed elements of Ahrar al-Sham used multiple-launch rocket systems and mortars to fire on the Bayadah neighbourhood in Aleppo governorate and on Ikku and Bishrah in Ladhiqiyah governorate.

In Aleppo city, units of the terrorist group Jabhat Fath al-Sham (Nusrah Front) used multiple-launch rocket systems, tube artillery, mortars, handheld anti-tank grenade launchers and small arms to fire on the Jam'iyat al-Zahra', 1070, Turbat Lala (twice), Aqil, Amri, Shaykh Sa'd (twice), Shi'ar, Salihin, Layramun, Ramusah and Binyamin neighbourhoods, the Assad Military Academy and areas near the gasworks and the former military school.

In Damascus governorate, the following were shelled: Hawsh Kharabu, Irbin, Hawsh Nasri (three times), Harasta, Bala al-Qadimah, an electric power station in Jawbar and a transport junction in Qabun.

In Hama governorate, terrorists shelled Suran and the thermal electric power station in Muhradah.

The Russian and Syrian air forces did not carry out any strikes against opposition armed groups which had announced that they would cease hostilities and had informed the Russian or American reconciliation centres of their location.

Provision of humanitarian aid to the population of the Syrian Arab Republic

Over the past 24 hours three humanitarian operations were carried out, during which the following humanitarian cargoes were delivered to civilians:

- Approximately 1 ton to the national district hospital of Hama city
- Approximately 1 ton to the Ramusah district of Aleppo city
- Approximately 4 tons to the Jibrin temporary accommodation facility in Aleppo governorate

Centres providing hot meals and supplying urgent necessities are continuing to operate for civilians who leave districts of Aleppo city that are under the control of illegal armed groups.

United Nations S/2016/1047

Security Council

Distr.: General
12 December 2016

Original: English

Albania, Angola, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Egypt. Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Latvia, Lithuania, Luxembourg, Malaysia, Malta, Montenegro, Morocco, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Senegal, Serbia, Slovakia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay: draft resolution

The Security Council,

Recalling its resolutions 1267 (1999), 1333 (2000), 1363 (2001), 1373 (2001), 1390 (2002), 1452 (2002), 1455 (2003), 1526 (2004), 1566 (2004), 1617 (2005), 1624 (2005), 1699 (2006), 1730 (2006), 1735 (2006), 1822 (2008), 1904 (2009), 1988 (2011), 1989 (2011), 2083 (2012), 2129 (2013) 2133 (2014), 2170 (2014), 2178 (2014), 2195 (2014), 2199 (2015), 2214 (2015), 2249 (2015), 2253 (2015) and 2309 (2016),

Reaffirming its commitment to sovereignty, territorial integrity and political independence of all States in accordance with the Charter of the United Nations,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever, wherever, and by whomsoever committed,

Reaffirming that terrorism should not be associated with any religion, nationality, civilization or ethnic group,

Condemning terrorists and terrorist groups, in particular the Islamic State in Iraq and the Levant (ISIL, also known as Da'esh), Al-Qaida, and associated individuals, groups, undertakings, and entities, for ongoing and multiple criminal terrorist acts aimed at causing the deaths of innocent civilians and other victims, destruction of property, and greatly undermining stability,

Deeply concerned by the increasing number of victims, especially among civilians of diverse nationalities and beliefs, caused by terrorism motivated by intolerance or extremism in various regions of the world, *reaffirming* its profound

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solidarity with the victims of terrorism and their families, and *stressing* the importance of assisting victims of terrorism and providing them and their families with support to cope with their loss and grief,

Gravely concerned that in some cases terrorists or terrorist groups, in particular ISIL, Al-Qaida, and associated individuals, groups, undertakings, and entities continue to profit from involvement in transnational organized crime, and *expressing concern* that terrorists benefit from transnational organized crime in some regions, including from the trafficking of arms, persons, drugs, and artifacts, and from the illicit trade in natural resources including gold and other precious metals and stones, minerals, wildlife, charcoal and oil, as well as from kidnapping for ransom and other crimes including extortion and bank robbery,

Expressing concern at the continuing use, in a globalized society, by terrorists and their supporters, of information and communications technologies, in particular the Internet, to facilitate terrorist acts, and *condemning* their use to incite, recruit, fund, or plan terrorist acts,

Expressing concern also at the continued flow of international recruits to ISIL, Al-Qaida, and associated groups, and *recalling* its resolution 2178 (2014) deciding that Member States shall, consistent with international human rights law, international refugee law, and international humanitarian law, prevent and suppress the recruiting, organizing, transporting, or equipping of foreign terrorist fighters and the financing of their travel and of their activities,

Particularly concerned at the growing involvement of terrorist groups, especially in areas of conflict, in the destruction and the trafficking in cultural property and related offences, and recognizing the indispensable role of international cooperation in crime prevention and criminal justice responses to combat such trafficking and related offences in a comprehensive and effective manner,

Reiterating the obligation of Member States to prevent the movement of terrorists and terrorist groups, in accordance with applicable international law, by, inter alia, effective border controls, and, in this context, to exchange information expeditiously, improve cooperation among competent authorities to prevent the movement of terrorists and terrorist groups to and from their territories, the supply of weapons for terrorists, and financing that would support terrorists,

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States and international and regional organizations to impede, impair, isolate, and incapacitate the terrorist threat,

Underlining the importance of strengthening international cooperation, including by investigators, prosecutors and judges, in order to prevent, investigate and prosecute terrorist acts, and *recognizing* the persisting challenges associated with strengthening international cooperation in combating terrorism including in stemming the flow of FTFs to and returning from conflict zones, in particular due to the cross border nature of the activity,

Stressing that the development and maintenance of fair and effective criminal justice systems should be a fundamental basis of any strategy to counter terrorism and transnational organized crime,

Recalling that timely cooperation and action, in accordance with international obligations, can help States to prevent FTFs from travelling to conflict zones, develop effective strategies to deal with returnees, preserve through law enforcement and judicial authorities critical evidence for legal proceedings, and facilitate the implementation of procedures for prosecution,

Noting the significant increase in the requests for cooperation in gathering digital data and evidence from the Internet and *stressing* the importance of considering the re-evaluation of methods and best practices, as appropriate, in particular, related to investigative techniques and electronic evidence,

Calling upon Member States to continue exercising vigilance over relevant financial transactions and improve information-sharing capabilities and practices, in line with applicable international and national law, within and between governments through relevant authorities including judicial authorities and channels, including law enforcement, intelligence, security services, and financial intelligence units, and also *calling upon* Member States to improve integration and utilization of financial intelligence with other types of information available, such as that provided by the private sector to national governments, to more effectively counter the terrorist financing threats posed by ISIL, Al-Qaida, and associated individuals, groups, undertakings and entities, including through actions related to investigative techniques, evidence gathering and prosecution,

Calling upon Member States to continue information-sharing, through appropriate channels and arrangements, and consistent with international and domestic law, on individuals and entities implicated in terrorist activities, in particular their supply of weapons and sources of material support, and on the ongoing international counter-terrorism cooperation including among special services, security agencies and law enforcement organizations and criminal justice authorities,

Welcoming the efforts by UNODC to upgrade its existing networks of Central Authorities to encompass the ones responsible for counter terrorism matters,

Recalling that the obligation in paragraph 1 (d) of resolution 1373 (2001) also applies to making funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of terrorist organizations or individual terrorists for any purpose, including but not limited to recruitment, training, or travel, even in the absence of a link to a specific terrorist act,

1. *Reiterates* its call upon all states to become party to the international counter-terrorism conventions and protocols as soon as possible, whether or not they are a party to regional conventions on the matter, and to fully implement their obligations under those to which they are a party;

2. *Reaffirms* that those responsible for committing or otherwise responsible for terrorist acts, and violations of international humanitarian law or violations or abuses of human rights in this context, must be held accountable;

3. *Calls upon* States to share, where appropriate, information about foreign terrorist fighters and other individual terrorists and terrorist organizations, including biometric and biographic information, as well as information that demonstrates the nature of an individual's association with terrorism via bilateral, regional and global law enforcement channels, in compliance with international and domestic national law and policy, and *stresses* the importance of providing such information to national watch lists and multilateral screening databases;

4. *Recognizes* the important role of national legislation in enabling international judicial and law enforcement cooperation on terrorist-related offences, and *calls upon* Member States to enact, and where appropriate, review their respective counterterrorism legislation in view of the evolving threat posed by terrorist groups and individuals;

5. *Calls* upon States to consider, where appropriate, downgrading for official use intelligence threat data on foreign terrorist fighters and individual terrorists, to appropriately provide such information to front-line screeners, such as immigration, customs and border security, and to appropriately share such information with other concerned States and relevant international organizations in compliance with international and domestic national law and policy;

6. *Emphasizes* the importance of States establishing as a serious criminal offence in their domestic laws and regulations the wilful violation of the prohibition on financing of terrorist organizations or individual terrorists for any purpose, including but not limited to recruitment, training, or travel, even in the absence of a direct link to a specific terrorist act, and *urges* States to exchange information about such activity consistent with international and national law and *emphasizes* further the recent FATF guidance on Recommendation 5 on the criminalization of terrorist financing for any purpose, in line with resolutions 2199 (2015) and 2253 (2015);

7. *Further encourages* States to cooperate in the implementation of targeted financial and travel sanctions against terrorist groups and individual terrorists under resolution 1373 (2001) and the implementation of targeted financial and travel sanctions and arms embargo against those listed under 2253 (2015) by sharing information with other relevant States and international organizations about such individuals and groups to the greatest degree possible, consistent with international and national law;

8. *Recalls* that all States shall afford one another the greatest measure of assistance in connection with criminal investigations or criminal proceedings relating to the financing or support of terrorist acts, including assistance in obtaining evidence in their possession necessary for the proceedings, and *urges* States to act in accordance with their obligations under international law, in order to find and bring to justice, extradite or prosecute any person who supports, facilitates, participates or attempts to participate in the direct or indirect financing of activities conducted by terrorists or terrorist groups;

9. *Calls upon* all States to:

(a) Exchange information, in accordance with international and domestic law and cooperate on administrative, police and judicial matters to prevent the commission of terrorist acts and to counter the FTF threat, including returnees;

(b) Consider the possibility of allowing through appropriate laws and mechanisms, the transfer of criminal proceedings, as appropriate, in terrorist-related cases;

(c) Enhance cooperation to prevent terrorists from benefiting from transnational organized crime, to investigate and to build the capacity to prosecute such terrorists and transnational organized criminals working with them;

(d) Enhance cooperation to deny safe haven to those who finance, plan, support, commit terrorist acts, or provide safe havens;

10. *Calls upon all* States to ensure, in conformity with international law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts, and that claims of political motivation are not recognized as grounds for refusing requests for the extradition of alleged terrorists;

11. *Urges* also as a matter of priority that Member States consider, as appropriate, ratifying, acceding to, and implementing other relevant international conventions to support international cooperation in criminal matters, such as the UN Convention against Transnational Organized Crime of 2000 and the Protocols thereto;

12. *Urges* States to develop, including, upon request, with the assistance of UNODC and in close cooperation with UNESCO and INTERPOL, broad law enforcement and judicial cooperation in preventing and combating all forms and aspects of trafficking in cultural property and related offences that benefit or may benefit terrorist or terrorist groups, and to introduce effective national measures at the legislative and operational levels where appropriate, and in accordance with obligations and commitments under international law and national instruments, to prevent and combat trafficking in cultural property and related offences, including considering to designate such activities that may benefit terrorist or terrorist groups, as a serious crime in accordance with article 2 of the UN Convention against Transnational Organized Crime;

13. *Calls upon* all States to:

(a) Use applicable international instruments to which they are parties as a basis for mutual legal assistance and, as appropriate, for extradition in terrorism cases, and encourages States, in the absence of applicable conventions or provisions, to cooperate when possible on the basis of reciprocity or on a case by case basis;

(b) Enact and, where appropriate, review and update extradition and mutual legal assistance laws in connection with terrorism-related offences, consistently with their international obligations, including their obligations under international human rights law, and to consider reviewing national mutual legal assistance laws and mechanisms related to terrorism and updating them as necessary in order to strengthen their effectiveness, especially in the light of the substantial increase in the volume of requests for digital data;

(c) Consider strengthening implementation, and where appropriate, reviewing possibilities for enhancing the effectiveness of their respective bilateral and multilateral treaties concerning extradition and Mutual Legal Assistance in criminal matters related to counter-terrorism;

(d) Consider ways within the framework of the implementation of existing applicable international legal instruments to simplify extradition and MLA requests in appropriate terrorism-related cases, while recognizing the need for due consideration, in light of the need to uphold relevant legal obligations;

(e) Designate mutual legal assistance and extradition Central Authorities or other relevant criminal justice authorities and ensure that such authorities have adequate resources, training and legal authority, in particular for terrorism related offences;

(f) Take measures, where appropriate, to update current practices on MLA regarding acts of terrorism, including considering, where appropriate, the use of electronic transfer of requests to expedite the proceedings between Central Authorities or, as appropriate, other relevant criminal justice authorities with full respect to existing treaty obligations;

(g) Consider providing UNODC with information for its repository database with contacts and other relevant details of designated authorities;

(h) Consider developing and participating in regional mutual legal assistance cooperation platforms and developing and enhancing arrangements for expeditious cross-regional cooperation for terrorism related offences;

14. *Encourages* Member States to act cooperatively to prevent terrorists from recruiting, to counter their violent extremist propaganda and incitement to violence on the Internet and social media, including by developing effective counter narratives, while respecting human rights and fundamental freedoms and in compliance with obligations under international law, and stresses the importance of cooperation with civil society and the private sector in this endeavour;

15. *Calls upon* all States, in conformity with international law, to consider establishing appropriate laws and mechanisms that allow for the broadest possible international cooperation, including the appointment of liaison officers, police to police cooperation, the creation/use, when appropriate, of joint investigation mechanisms, and enhanced coordination of cross-border investigations in terrorism cases, and also *calls upon* States to increase, where appropriate, their use of electronic communication and universal templates, in full respect for fair trial guarantees of the accused;

16. *Recognizes* the proven effectiveness of I-24/7, INTERPOL's secure global communication system, as well as its array of investigative and analytical databases, and its system notices in the framework of the fight against terrorism, *encourages* States to increase the capacity of their National Central Bureaus to utilize them and to designate a 24 hour/seven days a week point of contact for this network and to take the necessary measures to ensure its adequate training in its use to counter terrorism and foreign terrorist fighters, including illicit international travel;

17. *Encourages also* States, to consider extending access to, and where appropriate, integrate into their national systems, the INTERPOL I-24/7 police information network beyond the National Central Bureaus to other national law enforcement entities at strategic locations such as remote border crossings, airports, customs and immigration posts or police stations;

18. *Encourages* Member States, international, regional and sub-regional organizations to consider the possibility of developing 24/7 networks to counter terrorism while taking into account their existing arrangements for cooperation, and in this regard, *takes note* of the creation of a 24 hours seven days a week point of contact cooperation network in the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism (May 2015) to combat terrorism, in furtherance of the implementation of resolution 2178 (2014);

19. *Directs* the Counter Terrorism Committee, with the support of CTED to:

(a) Include in its dialogue with international, regional and subregional organizations and Member States their efforts to promote international law enforcement and judicial cooperation in counter-terrorism matters and to work closely with international, regional and subregional organizations and relevant UN bodies that have developed relevant networks and cross regional cooperation in order to facilitate international cooperation to counter terrorism and foreign terrorist fighters, including returnees, particularly by providing analysis on capacity gaps and recommendations based on CTED's country assessments;

(b) Identify gaps or trends in current international cooperation among Member States, including through CTC briefings to exchange information on good practices, and facilitate capacity building, including through sharing good practices and exchange of information in this regard;

(c) Work with CTITF entities, in particular UNODC, to identify areas where it is appropriate to deliver technical assistance to Member States, upon their request, to implement this resolution, including through the training of prosecutors, judges and other relevant officials involved in international cooperation, particularly by providing analysis on capacity gaps and recommendations based on CTED's country assessments;

(d) Identify and raise awareness on good practices on international judicial and law enforcement cooperation in counter-terrorism matters;

20. *Requests* UNODC to further enhance, in close consultation with the Counter-terrorism Committee and its Executive Directorate, its provision of technical assistance to States, upon request, to facilitate the implementation of the international conventions and protocols related to the prevention and suppression of terrorism and of relevant United Nations resolutions and further requests UNODC, together with Member States, to continue to promote, inter alia, international cooperation in criminal matters related to terrorism, including foreign terrorist fighters, especially with regard to extradition and mutual legal assistance;

21. *Requests* the Counter Terrorism Executive Directorate, with the assistance of UNODC and in consultation with CTITF office to prepare a report on the current state of international law enforcement and judicial cooperation related to terrorism, identifying major gaps and providing the Counter Terrorism Committee with recommendations to address them within ten months;

22. *Requests* CTC to update the Council in twelve months on the implementation of this resolution.